



GREGORY S. TAMKIN
Partner
(303) 629-3438
FAX (303) 629-3450
tamkin.greg@dorsey.com

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Honorable Donovan W. Frank
Sr. U.S. District Court Judge
U.S. District Court
724 Federal Building
316 N. Robert Street
St. Paul, MN 55101

Re: *Biomedical Device Consultants & Laboratories of Colorado, LLC v.
TA Instruments-Waters, LLC*
USDC MN Civil File No.: 17-cv-03403 DWF/SER

Dear Judge Frank:

At the conclusion of the hearing on the Motion to Dismiss in the above-referenced case last week, your Honor asked the parties to advise whether they were willing to participate in a settlement conference with an appointed magistrate judge and the preferred timing of any such conference. After conferring, I submit this letter with the approval of counsel for Defendant TA Instruments.

Both parties are willing to participate in a settlement conference with either Magistrate Judge Thorson or Magistrate Judge Rau. The parties agree that the ideal time for a settlement conference would be after all the briefing for the motion for preliminary injunction has been submitted (the reply brief is due January 8), but before the hearing on the motion.

Plaintiff requests that notwithstanding the settlement conference, the Court schedules the hearing on the motion for preliminary injunction so that time on the Court's calendar is reserved and otherwise continues to move the case forward. TA Instruments suggests that the second half of January may be a good time for the settlement conference.

Very truly yours,
DORSEY & WHITNEY LLP
/s/ Gregory S. Tamkin
Gregory S. Tamkin
/s/ Forrest Tahdooahnippah
Forrest Tahdooahnippah

cc: Kia Freeman, Esq.
Katherine J. Rahlin, Esq.